Attorney Docket No. **PAT112** 

## COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

## INTELLIGENT SELECTION SYSTEM FOR ELECTROSURGICAL INSTRUMENT the specification of which is attached hereto unless the following box is checked:

	e e e e
was filed on	as United States Application
Number or PCT International Application Number	
and was amended on	(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

	PRIOR FOREIG	N APPLICATION (S)	
Number	Country	Date Filed (Day/Month/Year)	Priority Claimed
			Yes No
			Yes No
<del></del>			Yes No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application No.	Filing Date (Day/Month/Year)	Status Patented, Pending, Abandoned
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

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Residence	
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Additional inventor(s) named on additional numbered sheet(s).

## VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS

Docket No. PAT112

37 CFR 1.9(f) & 1.27(b)INDEPENDENT INVENTOR	
Applicant or Patentee: Alan G. Ellman et al Serial or Patent No.:	
Filed or Issued: Concurrently	
Title: INTELLIGENT SELECTION SYSTEM FOR ELECTROSURGE	CAL INSTRUMENT
As a below named inventor, I hereby declare that I qualify as an independent inventor paying reduced fees to the Patent and Trademark Office regarding the invention descri	
X the specification filed herewith with title as listed above.  the application identified above.  the patent identified above.  I have not assigned, granted, conveyed, or licensed and am under no obligation under or license, any rights in the invention to any person who would not qualify as an independent of the invention, or to any concern which would not qualify as a small be nonprofit organization under 37 CFR 1.9(e).	dent inventor under 37 CFR 1.9© if that
Each person, concern or organization to which I have assigned, granted, conveyed, or contract or law to assign, grant, convey or license any rights in the invention is listed by	
X no such person, concern, or organization exists.  each such person, concern, or organization is listed below.	
Separate verified statements are required from each named person, concern or organizatheir status as small entities. (37 CFR 1.27)	ation having rights to the invention averring to
I acknowledge the duty to file, in this application or patent, notification of any change small entity status prior to paying, or at the time of paying, the earliest of the issue fee which status as a small entity is no longer appropriate. (37 CFR 1.28(b))	
I hereby declare that all statements made herein of my own knowledge are true and that belief are believed to be true; and further that these statements were made with the knowledge statements are punishable by fine or imprisonment, or both, under section 1001 of Twillful false statements may jeopardize the validity of the application, any patent issuit statement is directed.	owledge that willful false statements and the itle 18 of the United States Code, and that such
Alan G. Ellman Jones Garito NAME OF INVENTOR  NAME OF INVENTOR	
Signature of Inventor Signature of Inventor	